

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KOHEN DIALLO E. UHURU,

No. 2:20-cv-1267 JAM DB P

Plaintiff,

ORDER

v.

B. VELASQUEZ, et al.,

Defendants.

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 6, 2021, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 8.) Plaintiff has filed objections to the findings and recommendations. (ECF No. 9.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed January 6, 2021, are adopted in full;

3 2. Plaintiff's motion to proceed in forma pauperis (ECF No. 2) is denied;

4 3. The court finds plaintiff accrued three strikes under 28 U.S.C. § 1915(g) prior to filing
5 this action; and

6 4. The court orders plaintiff to pay the \$402 filing fee in order to proceed with this action.

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8 DATED: January 25, 2021

9 /s/ John A. Mendez

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11 THE HONORABLE JOHN A. MENDEZ
12 UNITED STATES DISTRICT COURT JUDGE

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